Australian Government

Dashboard Impact Analysis (IA) – National Environmental Standard for Community Engagement

Department of Climate Change, Energy, the Environment and Water

The proposed approach and policy problem

Proposed approach

The proposed approach is a legally enforceable National Environmental Standard for Community Engagement (CE Standard) under section 514 YD of the reformed *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act).

The CE Standard would enable community engagement to be completed under the EPBC Act and detail what proponents should do to enable the decision-maker to be satisfied that decisions made under the Act are supported by meaningful engagement with the public. Ministerial decision-making will be more transparent as the minister must now be satisfied that a proposal is consistent with all relevant National Environmental Standards.

If made, consistency with the CE Standard would be assessed by the decision-maker in relation to:

- Decisions to approve the taking of an action, including conditions, and decisions to approve actions in accordance with an endorsed policy, plan or program, as well as variations to such approvals.
- Decisions in relation to accrediting a management or authorisation framework or NOPSEMA management or authorisation framework.
- Making or varying a bioregional plan or bioregional guidance plan.

The Objective of the CE Standard is to ensure decisions made under the Act relating to the protection, conservation, restoration, recovery or management of protected matters are supported by meaningful engagement with members of the public and to assist in the co-operative implementation of Australia's international environmental obligations.

Policy problem

The 2020 Independent Review of the EPBC Act Final Report (Samuel Review) found there are limited opportunities for the public to substantively engage in and contribute to decision-making. The community does not have the opportunity to raise concerns until late in the process.

The Samuel Review recommended that community participation in decision-making processes be improved, including through the National Environmental Standards and making both the information used and the reasons for decisions transparent.

Summary of impacts and methodology

The Department prepared an Addendum to the Samuel Review on 30 October 2025. The Addendum focuses on the streamlined assessment pathway (reducing statutory timeframes from 70 to 50) and related reform measures – including the making of National Environmental Standards, rulings, defining unacceptable impacts, and requiring a 'net gain' for any residual significant impacts. These related reforms aim to improve environmental outcomes and reduce delays commonly caused by further information requests.

The Addendum estimates the impact of the streamlined assessment pathway (SAP, low scenario) and SAP and related reforms (medium and high scenario), as reproduced below in Table 1.

The Addendum estimates that under medium and low scenarios, requests for information would be reduced and avoided (respectively). Benefits were a reduced timeframe for assessments and approvals – at either 140 or 288 days.

Table 1. Estimated positive impact from reductions to delay costs from the introduction of the streamlined assessment pathway and related reform measures per relevant population per annum.

Change in Costs ($million)	Business	Community organisations	Individuals	Total change in Costs
Low (20 days)*	$441	$4	$0	$445
Medium (140 days)	$3019	$25	$0	$3045
High (288 days)	$6878	$36	$1	$6914

Note = baseline SAP case from the Addendum*

This analysis adopts a contributory portion of the medium scenario as the expect impact of the CE Standard to expedite approvals. The medium and high estimates in Table 1 include the streamlined assessment pathway and other reform measures so cannot be attributed solely to the CE Standard. The CE Standard is expected to contribute to the medium scenario savings through greater clarity regarding upfront environmental requirements and supporting information.

Option	Benefits	Other costs	Net impact	Regulatory burden
Proposed: CE Standard	A contributory portion of the overall $3,045,000,000 p/a in reduced delay costs for the further information pathway. Improved environmental outcomes; greater certainty; more consistent decisions.	Compliance, evidence and transition costs.	These have not been quantified, but costs are expected to be ameliorated by the benefits in more efficient assessment pathways.	A contributory portion of the overall minimum $3,045,000,000 p/a in reduced regulatory burden.

Alternative: Policy Guidance only	Some transparency benefits	Low implementation cost	Limited net benefit	Expected to reduce benefits as would not sufficiently provide guidance on Community Engagement, Ministerial discretion would remain high. Further information requests anticipated.

Economic and social impacts

Status quo	Proposed option
People, business and other groups will continue to be made aware of the evidence required to assess the impacts of proposals through policy guidance only. Ministerial decision-making would remain inconsistent and not transparent. Multiple requests for additional information would likely continue.	The CE Standard will support the operation of a reformed EPBC Act by setting out principles for effective community engagement to support and inform decisions made under the Act. By replacing policy with a Standard to which the Minister must have regard, this will lead to clearer expectations, improved transparency, increased confidence in decisions and better outcomes for protected matters. Benefits are expected across proponents, governments, First Nations stakeholders and communities. Business should see the greatest benefit in reduced regulatory burden and administration costs. **Stakeholder views:** Businesses and people, including both agriculture and environment groups, broadly support the CE Standard's intent, while calling for greater implementation guidance.

Regulatory burden

Status quo	Proposed option
Assessment of any existing compliance and/or delay costs: These costs are outlined in the Addendum.	**Change in the regulatory burden:** The Department has reconsidered the administrative effort anticipated by the CE Standard considers that on balance, the CE Standard provides the benefit of setting out more clearly, good community engagement practice for specific decisions and therefore improves certainty. Consultation feedback across sectors was broadly supportive of the Community Engagement Standard's intent and underlying principles. **Stakeholder views:** Stakeholders were mostly concerned about how the CE Standard defined the subset of community that should be engaged in two-way dialogue, which has been addressed. Environment groups were concerned about the use of an 'other evidence' pathway to meet the CE Standard, whereas industry is more supportive as it provides more flexibility. The CE Standard has been updated to clarify the application of terms, whilst preserving flexibility and implementation to specific cases. Where relevant, language has been adjusted to enable reasonableness

Status quo	Proposed option
	for specific considerations, which reinforces the flexibility of the CE Standard.

Other considerations and implementation

Other options considered were the status quo (reformed EPBC Act) and non-regulatory (guidance). These options would not provide a legally enforceable, consistent framework and provide practical guidance for applicants as to how the legislative requirements will be considered by the Minister for the Environment. The preferred option will be implemented through standards-making provisions of the reformed EPBC Act supported by guidance, consultation and National EPA assurance processes.

What success looks like

The Standards will provide sufficient clarity whilst retaining flexibility as to how proponents demonstrate that the substantive approval requirements for decision-making are met.

This will lead to more consistent environmental decisions; improved outcomes for protected matters; fewer requests for additional information; increased stakeholder confidence; improved transparency; reduced regulatory uncertainty. The outcomes will be assessed through legislated reviews.

Implementation approach

Implementation will occur through the ongoing tranches of legislative reform supporting the new EPBC arrangements and may include guidance materials to access the benefits of streamlined pathways, National EPA oversight and Environment Information Australia reporting.

Planned evaluation

Formal review is required within 18 months of commencement of the Standard and at least every five years thereafter by section 514YJ of the reformed EPBC Act.

Statement of Sufficiency

I confirm that this Dashboard Impact Analysis (IA) prepared for National Environmental Standard for Community Engagement meets the requirements set out in the *Australian Government Impact Analysis Framework*.

I confirm that the level of analysis is proportionate to the policy issue being considered.

I note the Dashboard IA provides analysis of the impacts of the proposal using the 7 IA questions and:

- a high-level summary of costs and benefits and an estimate in the change in the regulatory burden, of the policy options under consideration
- high-level analysis of the policy option against the government's key strategic priorities
- a summary of relevant distributional effects and evidence of key stakeholder feedback incorporated into the policy design
- other details required to understand and assess the proposal.

Endorsed by

Narelle Luchetti
Deputy Secretary, Environment Policy and Programs Group
Department of Climate Change, Environment, Energy and Water
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